

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

HENRY W. GLANDING JR.,)
)
 PETITIONER,)

V.)

PERRY PHELPS. WARDEN,)
)
 AND. JOSEPH R. BIDEN, III ATTORNEY)
)
 GENERAL FOR THE STATE OF DELAWARE)

CIV. ACT. No. 07-469-(GMS)



RD scanned

Amend To:

EITHER MY HABEAS CORPUS MOTION OR MY
ANSWER TO STATES ANSWERING BRIEF I SUBMITTED.

INCLUDED ARE 4 PAGES OF MY TRIAL TRANSCRIPT FROM MY
TRIAL. PAGES NO# 97, 98, 99, 100, THESE FOUR PAGES CLEARLY SHOW =
"INEFFECTIVE ASSISTANCE OF COUNSEL". AND THE ELEMENTS TO
PROVE SUCH, - UNDER STRICKLAND. SHOWING COUNSEL'S BELOW STANDARDS
TO ME AND MY CASE, BY NOT OBJECTING TO OR ASKING FOR A
"MISTRIAL", DUE TO THE STATE'S RAISING PREJUDICIALLY BARRED
ISSUES + STATEMENTS WHICH WERE BARRED FROM USE BY THE
SUPERIOR COURT JUDGE AND MY SO CALLED COUNSEL (LLOYD SCHMID).
THE WORD'S PAGAN MOTORCYCLE "CLUB" WAS SUPPOSE TO BE BARRED

From my TRIAL! These Four TRIAL TRANSCRIPT PAGES CLEARLY show IT WAS STILL USED! EVEN THOUGH THE D.A. STATES HE DOES NOT WANT TO SAY TO MUCH ON THE ISSUE BECAUSE Lloyd Schmid would object to it. He is REFERRING TO BARRED FROM TRIAL AND JURY ISSUES! Pagan Motorcycle Club AND OR SUCH ITEMS AFFILIATED WITH SAID CLUB. THESE PAGES SHOW WHAT SHOULD OF BEEN A MISTRIAL AND A NEW JURY-SELECTED!

IT ALSO SHOWS ANOTHER ISSUE THAT WAS NOT TYPED OR RECORDED BY COURTS STENOGRAPHER. PAGES SHOW D.A. SAYS HE DOES NOT WANT TO MAKE MR. L. SCHMID OBJECT TO THESE ISSUES. BUT MR. L. SCHMID SHOULD OF OBJECTED IF HE WAS DOING HIS JOB. THIS IS ONE OF MANY ISSUES THAT SHOWS INEFFECTIVE ASSISTANCE OF COUNSEL. ALSO COURTS FAILURE TO RECORD BARRED ISSUES AND ISSUES DISCUSSED IN FRONT OF JUDGE - APPROACHED BENCH! PAGE 80 OF SUPPRESSION HEARING IS MISSING FROM STATES PROVIDED RECORDS TO. AT LEAST MY COPIES IS MISSING. THIS PAGE DEALS WITH PAPER WORK NOT GIVEN TO MR. L. SCHMID OR MYSELF. ALOT OF THIS WAS DONE AT SUPPRESSION HEARING AND MOTION TO SEVER MY CASE. BECAUSE AT THAT TIME STATES TEST RESULTS OF SAID METH, WERE "NEGATIVE"! STATE HID THESE TEST RESULTS IN ORDER TO GET A SEVERED CASE SO STATE COULD CONSECUTIVELY CHARGE ME FOR EACH GUN BECAUSE OF NO GREATER OR LESSOR CHARGES. (2)

THATS WHY THE STATE DROPEd THE Ammo charges on grounds the Ammo WAS NEVER TESTED To SEE if could/would fire. Some more of this Ambiguous STATUTE 11. DEL. C. § 1448 POSSESSION OF A "DEADLY WEAPON" by PERSONS Prohibited, AND OR FIREARM AMMUNITION. Both HAVE SAME STATUTE Number, 11. DEL. C. § 1448 "DOES NOT" READ = POSSESSION OF "FIREARM" by PERSONS Prohibited AND OR FIREARM AMMUNITION, WHICH I WAS INDICTED FOR. FLAWED INDICTMENT!

ALSO BACK ON 2-21-08 I WROTE A LETTER To THE COURT (U.S. DISTRICT COURT) ADDRESSING A NOTICE I RECEIVED FROM THE STATE IN THE COURT RECORDS PACKAGE. ABOUT A ATTORNEY = SAYING:

I RECEIVED ON THIS 7th day of OCTOBER, 2002 by MARCELLA A. HALL

ATTORNEY FOR HENRY W GLANDING? COPY INCLUDED IN LETTER LAST SENT.

I ASK FOR THAT LETTER AND PAPER WORK BE Amended To my CASE ALSO!?

THANK YOU
HENRY W GLANDING JR
Henry W Glanding Jr.

1 MR. O'CONNOR: Your Honor, the issue that
2 I want to raise with respect to Detective Calloway
3 was testimony regards the fact that when he observed
4 items in the safe, a number of those items were the
5 defendant's items. The prejudicial part of the
6 items is that they are all Pagan-related material.
7 I wanted to inquire of the Detective whether or not
8 he saw items of the defendant's clothing and other
9 items that identified -- that were identified as
10 being the defendant's in the safe, without going any
11 further than that, to further establish that he had
12 access to the interior of the safe.

13 I do not -- beyond that I don't want to
14 get into that it is Pagan material because I
15 understand Mr. Schmid will object. I don't really
16 agree with him, but to the prejudicial value at this
17 point, but that was the one question that I reserved
18 asking Detective Calloway.

19 Quite frankly, we have a lot of evidence
20 tying the defendant, sufficient evidence I believe
21 tying the defendant to the home, to the vehicle, but
22 not to the interior of the safe where a variety of
23 these weapons were found.

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1 THE COURT: Make a proffer as to what you
2 would like to do.

3 MR. O'CONNOR: Your Honor, I would like to
4 ask the detective whether or not in addition to
5 weapons found in the safe he located items of
6 clothing and other objects which he identified as
7 being the defendant's in the safe, with all the
8 weapons and bullets and those kind of things.

9 MR. SCHMID: Your Honor, just to get the
10 full context, as I understand it none of these items
11 have the name Henry Glanding on them.

12 MR. O'CONNOR: They have his nickname,
13 Hard Head, which is his Pagan nickname, all over
14 them. I can have someone from the State Police
15 intelligence unit testify outside the jury's
16 presence that the defendant's nickname is Hard Head,
17 or Detective Calloway can do that to establish the
18 nickname and this defendant.

19 That is my only proffer, is that there was
20 clothing and other items in the safe belonging to
21 this defendant, and to the extent that --

22 THE COURT: What precisely was the
23 clothing in the safe?

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1 MR. O'CONNOR: A Pagan motorcycle jean
2 jacket.

3 THE COURT: What size jacket?

4 MR. O'CONNOR: It is the Pagan colors.
5 Has the name tag of Hard Head on it. There was a
6 walking stick, which is a staff kind of object that
7 appeared to me to be made out of an ax handle, for
8 lack of a better description, with the nickname Hard
9 Head running down the front of it, which is common
10 Pagan memorabilia.

11 There was also some other things that --
12 Your Honor, I have some photographs.

13 Judge, the first photograph is a close-up
14 of the nickname on the jacket.

15 The second is a photograph of the jacket
16 in the gun locker.

17 The third is a photograph of the front of
18 the jacket, which has the nickname, which would be
19 on the left side of the jacket.

20 The fourth is a photograph of the back of
21 the jacket.

22 The fifth is a photograph of the gun
23 locker, and in the bottom of the gun locker is

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1 reference to being one percent. That is referenced
2 throughout the defendant's Pagan memorabilia.

3 THE COURT: I don't see that on this
4 photograph.

5 MR. O'CONNOR: At the bottom, Your Honor.
6 In the bottom you will see the one percent. It is
7 white and red. The head of the Motorcycle
8 Association of America said only one percent of
9 motorcycle riders are convicted felons, and
10 apparently some motorcycle groups take that as a
11 badge of honor, being one percent.

12 THE COURT: Is that the diamond, the white
13 diamond?

14 MR. O'CONNOR: Yes, Your Honor.

15 THE COURT: All right. Mr. Schmid.

16 MR. SCHMID: Your Honor, I have a request
17 to make, and that is to only briefly show those
18 photos to my client. There seems to be some
19 question between us as to what is being referred to.

20 THE COURT: Hand these to Mr. Schmid.

21 THE BAILIFF: Yes, Your Honor.

22 MR. SCHMID: Thank you. Did the Court
23 want the photos back?

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Certificate of Service

I, HENRY W GLANDING JR, hereby certify that I have served a true

And correct cop(ies) of the attached: REQUEST TO AMEND TO HABEAS
CORPUS OR ANSWER TO STATES ANSWER TO my CASE. upon the following
parties/person (s):

TO: OFFICE OF THE CLERK.

UNITED STATES DISTRICT COURT
844 N. KING STREET. LOCKBOX 18
WILMINGTON DEL. 19801-3570

TO: _____

TO: JAMES TURNER WAKLEY

DEPARTMENT OF JUSTICE

820 N. FRENCH STREET

WILMINGTON DEL. 19801-3570

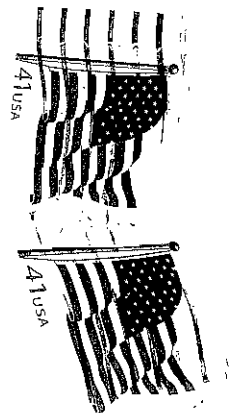
TO: _____

BY PLACING SAME IN A SEALED ENVELOPE, and depositing same in the United States Mail at the Delaware Correctional Center, Smyrna, DE 19977.

On this 9th day of MARCH, 2008

Henry W Glanding Jr.

IM Henry Gaudin
SBI# 132584 UNIT 5-1 H-1.
DELAWARE CORRECTIONAL CENTER
1181 PADDOCK ROAD
SMYRNA, DELAWARE 19977



Office of the Clerk

United States District Court
844 N. King Street, Lockbox 18
Wilmington Del. 19801-3370

1980133570 0012

